

Georgia TANF Plan

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Georgia's Temporary Assistance for Needy Families State Plan for FFY 2004

The State of Georgia continues to operate a program to serve the broad purposes of Title I, Block Grants to States for Temporary Assistance for Needy Families (P.L. 104-193), using the state family assistance grant made under Section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

INTRODUCTION

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193), Title I, Temporary Assistance for Needy Families (TANF) states that the purposes of TANF are to:

- provide assistance to needy families so that children can be cared for in their homes or in the homes of relatives
- end the dependency of needy parents on government benefits by promoting job preparation, work, and marriage
- prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies
- encourage the formation and maintenance of two-parent families.

Georgia will continue to conduct a program under the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Georgia's primary goal is to provide necessary assistance on a temporary basis to needy families with children, to assist parents with job preparation, and to provide work opportunities, support services, and enforcement of child support obligations to children living in these families. In so doing, Georgia will help needy families become self-sufficient and able to leave the TANF program as soon as possible. There is no entitlement to any assistance under Georgia's TANF program. Assistance will be provided for a maximum of forty-eight months, except as noted in the hardship sections of this plan.

Promoting the well being of the children of Georgia is a major part of the mission of the Department of Human Resources and its Division of Family and Children Services. In order to fulfill its mission, the Department assists families in their efforts to acquire the necessary means to achieve economic self-sufficiency. Assistance is provided in the following manner:

- work activities that include job search, job training, and assistance with job placement;
- support services such as child care, transportation, and reimbursement for other necessary expenditures that can assist families in obtaining employment and remaining employed, thus eliminating the need for cash assistance;
- cash assistance that is normally provided by electronic benefits transfer;
- support services intended to support and maintain two-parent families; and
- support services intended to prevent teen and out-of-wedlock pregnancies.

Georgia operates its TANF program according to principles established over more than a decade, these principles having guided Georgia's reforms through the waiver process and its work initiative.

In the administration of the TANF program in Georgia:

- work is given the highest priority in the provision of services and benefits.
- the needs of children receive high priority in choosing program options.
- benefits are directly linked to the exercise of responsible behavior on the part of parents receiving benefits on behalf of their children.
- parental responsibility and employment initiatives are incorporated into the program's design.
- efforts to reduce teen pregnancy are pursued in cooperation with non-profit agencies and other governmental organizations.

The focus on employment reflects Georgia's commitment to meet all work requirements contained in the federal legislation. This commitment includes the provision of child care and other support services necessary to not just place people in jobs, but to help keep them employed. Participants who go to work and lose cash benefits may continue to receive Medicaid, Food Stamps, support services and transitional benefits, including assistance with child care, transportation, and other costs associated with employment.

The focus on children reflects Georgia's commitment to an aggressive effort to end the cycle of welfare dependency that has characterized entitlement-based programs in the past. Georgia's focus on what is beneficial to children extends beyond merely providing cash assistance. Children benefit from the availability of child welfare, public health and community-based programs and, consequently, prevention programs benefit a broad range of at-risk youth. Children in TANF families have access to Georgia's Pre-Kindergarten and HOPE Scholarship programs.

Georgia requires responsible parental behavior as a condition of eligibility for public assistance. The State has retained its family cap provision, immunization requirement, work acceptance and maintenance requirement, a teen living arrangement provision, and participation in work activities. These efforts are coupled with aggressive child support enforcement. In submitting this plan, Georgia restates its commitment to continue and to expand these efforts.

I. GENERAL PROVISIONS

A. PROGRAM ADMINISTRATION

The Department of Human Resources, Division of Family and Children Services administers the TANF program at the state level while services are delivered at the local level through the network of Departments of Family and Children Services located in each of Georgia's 159 counties.

The identified services are available in all political subdivisions in the State. The services are directed by county Departments of Family and Children Services in collaboration with other local public and private agencies. A range of job placement, job preparation and support services is available in each subdivision, but may vary in scope depending on local resources. All services provided are in keeping with the current goal of reducing dependency by helping families to leave the cash assistance rolls as soon as possible and by diverting applicants toward employment so that there will be no need for cash assistance.

Services are provided through a system that connects the Division and TANF applicants and recipients to jobs, job preparation and support systems. The Department uses non-financial agreements when possible and paid agreements when necessary to ensure that clients are able to access needed services. Some services may be provided through other divisions within the Department of Human Resources (DHR).

Working with other state agencies and providers outside of DHR is crucial to the Department's success in making needed services available. The range of services needed by clients is provided through partnerships with the Department of Labor, Department of Education and local Boards of Education, the Board of Regents, the Department of Technical and Adult Education, Community Action Agencies, United Way, Chambers of Commerce, business associations, community-based organizations and religious groups.

Coordination of local services and obtaining the cooperation and involvement of communities are priorities of DHR. Community Resource Developers help to develop resources at the local level and help to ensure the involvement of numerous local service providers, agencies and businesses. DFCS Field Coordinators are

responsible for the supervision of county Departments of Family and Children Services and oversee the coordination and provision of services to help families.

To insure the effective and efficient management of the Georgia TANF program, outcome-based performance measures are identified and evaluated on an ongoing basis. These outcome measures include, but are not limited to:

- changes in family income, including a review of family income as a percentage of the federal poverty rate;
- changes in employment status;
- changes in the out-of-wedlock pregnancy rate, with special focus on data about teens;
- the number of former TANF recipients returning to the rolls; and
- the number of applicants diverted from cash assistance.

B. HARDSHIP WAIVERS

Georgia has established a 48-month limit on the receipt of TANF for an assistance unit (AU) that includes either a parent (unless the parent receives SSI) or an adult who receives TANF. The lifetime limit may be temporarily waived for an AU due to hardship or if the AU includes someone who is, has been, or may be a victim of domestic violence.

Georgia grants hardship waivers solely on a case-by-case basis, using criteria established by the State. The granting of a waiver can result in an extension of an AU's TANF eligibility for up to three months at a time. Extensions of TANF eligibility count toward the 60-month federal lifetime limit. Waivers granted to the federal limit cannot exceed 20 percent of Georgia's TANF caseload except for reasons of domestic violence.

Specific criteria are used to help make a determination of whether a hardship waiver is granted to a TANF AU. The granting of a hardship waiver may be appropriate if one of the following has been or remains a barrier to the AU's attainment of self-sufficiency:

- a family member has been, is, or may become a victim of domestic violence;
- the family has an active child protective services case;
- the grantee relative participates in a substance abuse program;
- the grantee relative is unable to work because of a personal disability but is

- ineligible for SSI;
- the grantee relative is needed in the home to care for a disabled household member;
- the grantee relative has not completed the mandatory work plan for reasons other than non-cooperation; or
- the grantee relative is unable to obtain and retain employment because the AU has resided during some or all of its 48 months of TANF assistance, and continues to reside, in an area with few employment opportunities.

Waivers to the time limit are granted only to those who have complied with TANF program requirements. When an AU is granted a hardship waiver, it remains subject to all TANF program requirements for as long as it continues to receive TANF.

C. WORK REQUIREMENTS

Applicants for and recipients of cash assistance have a work requirement and must participate in work activities in accordance with federal TANF guidelines. In two-parent families, both parents are required to participate in work activities. A recipient must participate in work activities as soon as determined by the State to be ready or when cash assistance has been received for twenty-four months, whichever comes first.

A parent who does not receive TANF because of a disqualification or a penalty must still meet mandatory work requirements unless otherwise exempt.

The only exemption to the work requirement is that a single custodial parent can choose to be exempt from these work requirements if there is a child in the home under twelve months of age. This exemption can only be used once during the lifetime of the parent.

A minor, single custodial parent who does not have a high school diploma or its equivalent cannot be exempted from mandatory work activities. Instead, such a parent must participate in education or alternate training activities as soon as it is medically possible following the birth of a child, but no later than twelve weeks after the child's birth.

Non-custodial, non-supporting minor parents who are included in a TANF AU are required to attend school, obtain a high school diploma or GED, participate in parenting and/or money management classes, perform community service and cooperate with Child Support Enforcement (CSE).

D. WORK PARTICIPATION AND ACTIVITY REQUIREMENTS

1. Participation Requirements

Georgia is committed to attain the minimum participation rate established by PL 104-93 for all families receiving assistance for each fiscal year specified in the law. Georgia does not report work participation rates for two-parent families because cash assistance for two-parent families is paid solely from state funds. However, work participation requirements for two-parent families closely follow those specified in the federal law.

In order to meet federal work participation standards, numerous obligations are placed upon recipients. A Personal Work Plan (PWP) is developed for each recipient who has a work requirement. The PWP specifies the recipient's employment goal and the steps necessary for the achievement of the goal. The plan specifies the responsibilities of both the recipient and agency in achieving the goal.

In addition, a Personal Responsibility Plan (PRP) is developed for each TANF family. Every parent with children receiving TANF and every caretaker relative who receives TANF on behalf of children in the home must complete his or her own PRP. The plan defines the individual's personal responsibilities, emphasizes the contractual nature of assistance, and focuses on the goal of attainment of self-sufficiency.

2. Sanctions

Sanctions are applied to those families that fail to meet the obligations and responsibilities outlined in either the Personal Responsibility Plan (PRP) or in the Personal Work Plan (PWP). The sanctions are applied as follows:

- An initial failure to meet work requirements or stated obligations is called a material violation and can result in a 25% reduction of the family's grant.
- A subsequent material violation of work requirements or stated obligations can result in the permanent termination of the family's assistance.

An assessment is made of the possible risk to children from a failure to comply with the PRP and the PWP or from a failure to achieve self-sufficiency within the time limit.

Recipients who may have committed a material violation are given the opportunity to conciliate and thus avoid the imposition of sanctions. The county DFCS office must initiate the conciliation process. A successful conciliation results in no sanction and no strike being imposed on a TANF family.

3. Support Services

When needed, support services are provided to facilitate participation in all activities listed in the PRP and the PWP. Support services for TANF applicants and recipients are provided through a combination of federal TANF and state MOE funds. These services may include:

- child care;
- transportation, including, but not limited to, driver's license fees, vehicle repairs and car insurance;
- work clothing, when required for employment;
- eyewear, medical and dental services when required for employment;
- tools, when required for employment;
- occupational licensing fees;
- emergency assistance with rent and utilities;
- rehabilitation services;
- specialized non-medical services designed to help mentally retarded TANF recipients move into the work force;
- specialized non-medical support services designed to move into the workforce TANF recipients with identifiable mental health barriers to employment.

Eligibility for support services is based on financial need. Support services are provided when necessary, but cannot exceed the maximum allowed by state law and funding. Benefits are provided at application and during periods of eligibility through cash to the TANF client and payments to providers. If sanctioned, clients may lose a portion or all of their support services.

a. Child care

Child care is provided in the form of payments to providers. A sliding fee scale is used for a family with income, while an applicant or recipient of TANF may be eligible for services without a fee if the caretaker is active in job search, job training, or other work-related activities.

b. Transportation services

Georgia funds transportation programs to assist families in overcoming barriers to employment resulting from a lack of sufficient transportation. Initiatives include a reverse commute initiative, direct subsidies and the Wheels-to-Work program that provides vehicles to eligible participants. These services are available to TANF applicants engaged in job search activities, TANF recipients and former TANF recipients whose TANF was terminated in the previous twelve months due to wages but continue to require assistance with transportation to and from their places of employment.

c. Rehabilitation services

Rehabilitation services are provided to an individual who has a disability, be it physical, mental, or emotional, that interferes with the individual's ability to work. Based on an assessment of the individual's needs, services are provided according to what is needed for the individual to become employed and remain employed. After a period of successful employment and a closure of the rehabilitation services case, additional services may be provided if requested and if necessary for continued employment if the individual remains financially eligible for the specified service.

d. Mental health services

Mental health services can be provided to both adults and children with serious mental illnesses such as schizophrenia and manic depressive illness. Services include non-medical evaluation and diagnosis; individual, family, group and activity therapy; and counseling. Day treatment programs teach work-related skills and daily living skills. Emergency services include non-medical short-term support services during a psychiatric crisis.

A network of providers, including community service boards, boards of health and private agencies, provide a range of non-medical services to people in their home communities, including outpatient services, day

treatment or training programs, crisis intervention, supported employment and service coordination.

Day programs help people with severe disabilities learn basic living, social and work skills. Supported employment provides the support that people with mental illness need to find and keep jobs.

e. Mental retardation services

Mental retardation services are provided in the form of family and personal support training and a range of in-home services to help people with mental retardation continue to live with their families. Day programs help people develop social and work skills. Supported employment helps people with mental retardation find and keep regular jobs.

4. Work Activities

TANF recipients are expected to participate in approved work activities at a level consistent with full-time employment whenever feasible. Placement in an activity is based on an assessment of the individual and in accordance with federal and state law.

Activities of first choice are those that count toward meeting the federal work participation requirements.

Hours of participation in the following activities count toward the federal work participation rate.

Unsubsidized Employment – Employment in which a second party does not subsidize a participant's wages. Unsubsidized employment may be in the private for-profit sector, or in the public or private non-profit sector.

Subsidized Private Sector Employment – Full-time employment in the private for-profit sector in which the participant's wages are subsidized by DHR as an incentive to an employer to hire the participant.

Subsidized Public Sector Employment – Full-time employment through a public or private non-profit entity in which the participant's wages are subsidized by DHR as an incentive to the employer to hire the participant.

Work Experience – Unsalaries work at a closely supervised work site. Work experience is expected to provide participants with an opportunity to develop basic work habits, practice old skills, learn new skills and demonstrate their abilities to a prospective employer. Placements may be made with public or

private non-profit employers.

On-The-Job Training – Training provided on-site by an employer. Under OJT, a participant is hired by a private or public employer and, while engaged in productive work, receives training that provides knowledge or skills essential to an adequate performance of the job.

Job Search and Job Readiness – Closely monitored job seeking combined with training to prepare participants to successfully find employment and remain employed.

Community Service – Unsalaries work that provides a service to the community. While the goal of this activity is to provide service to the community, it may not lead to skill development or employment. Community service may be either outside of the home as volunteer or in the home caring for a disabled household member. Medical documentation is required to establish the need for the recipient to remain in the home to care for a disabled household member.

Vocational Training – Training that will provide the participant with a specific job skill.

Provision of Child Care to an Individual Participating in Community Service – A participant may provide child care for another recipient whose approved work activity is Community Service. The participant providing the child care receives no pay.

Secondary Education – Participation in a course of study designed to prepare a person to qualify for a high school diploma or its equivalent. This activity can be required for a parent under the age of 20 who does not have either a high school diploma or its equivalent.

Education Directly Related to Employment – Classroom training in specific academic skills required for employment in a particular field. The goal of such training is not a diploma or equivalency, but employment. This activity can be required for a parent under the age of 20 who does not have either a high school diploma or its equivalent.

Job skills training directly related to employment – Training, for which the client is not paid, in specific skills that are necessary for employment in a specific job category. The goal of such training is to place the client in a job for which s/he has been prepared by having been trained in the job skills specific to the job.

Placement in certain activities that do not count toward Georgia's work participation rate may nevertheless be necessary in order to prepare the client for successful participation in countable work activities. Hours of participation

in the following activities cannot count toward the federal work participation rate.

English as a Second Language – Education designed to provide the client with skills in speaking, reading, or writing English commensurate with the requirements of her employment goal.

College – Education that will lead to the earning of an undergraduate degree. Support for college attendance is provided only when college is an activity included in the client's work plan.

Job search and job readiness training that continues after the six- week limit has been reached.

Vocational training that is in excess of the 12-month limit.

Job readiness training that is independent of job search activity.

Assessment – An in-depth assessment is intended to assist in the development of a reasonable work plan by taking into account a client's abilities, disabilities, work history and vocational interests.

Mental health counseling/treatment – Treatment that assists recipients in alleviating the symptoms of mental illness that interfere with their ability to function in the home and in the workplace.

Substance abuse counseling/treatment – Treatment designed to help a client overcome a dependence on or addiction to drugs and/or alcohol.

Life skills training – Training intended to help a client develop the skills necessary to manage activities that typify what is considered as normal daily life, enabling the client to function in society.

Parenting skills training – Training intended to help a client develop the skills necessary to effectively care for his/her child.

5. Transitional Services

Transitional services are provided to assist former TANF recipients as they leave the cash assistance rolls and move on to employment and self-sufficiency.

Transitional Child Care (TCC) – Recipients who become ineligible for cash assistance due to an increase in earned income may be eligible to receive assistance with child care costs for up to twelve months.

Transitional Medical Assistance (TMA) – Recipients who exhaust their eligibility for Low Income Medicaid (LIM) may be eligible to receive Medicaid under TMA for up to twelve months.

TANF to Work Support Payment (TWSP) – Recipients who become ineligible for cash assistance due to employment may be eligible to receive an allowance to pay the cost of transportation and other incidental expenses. This assistance is only available once in a twelve-month period.

E. CONFIDENTIALITY

The state statute that provides the legal basis for safeguarding the confidentiality of assistance-related information is the Official Code of Georgia Annotated 49-4-14. The statute restricts the use or disclosure of information concerning applicants for, or recipients of, public assistance to purposes directly connected to the administration of public assistance. (See Appendix A)

F. REDUCING OUT-OF-WEDLOCK PREGNANCIES

The Department of Human Resources coordinates and manages Georgia's teen pregnancy prevention programs through the Office of Adolescent Health and Youth Development, an interdivisional office that coordinates all DHR teen pregnancy prevention programs. The goal of the Office of Adolescent Health and Youth Development is to reduce pregnancies among girls aged 15 through 19 years of age by 15% by the year 2010. Georgia's teenage birth rate has already declined from third highest in the nation in 1992 to sixth highest by 1999. The teen birth rate declined 14 percent from 1990 to 1999 while the induced abortion rate among teens declined by 30 percent. The rate of repeat pregnancies among teenage mothers ages 15 through 19 declined by 11 percent from 1994 to 1999.

Georgia remains committed to achieve further reductions in the teen birth rate and to reduce sexual activity among teens in order to ensure that future generations will be healthy and self-sufficient. Based on the acknowledgment that no single approach can be effective in achieving its goals, Georgia's teenage pregnancy

prevention initiative takes a comprehensive strategic approach, including the promotion of abstinence from sexual relations outside of marriage, personal responsibility and parental involvement, numerous community projects, youth entrepreneur programs, and targeting of areas where teen pregnancy rates are highest. All members of the family identified as needing information regarding family planning are referred as part of the eligibility determination process.

The Georgia Department of Education, the Children and Youth Coordinating Council, Department of Juvenile Justice, School to Work Program, Department of Labor, Workforce Investment Act, and the Board of Regents provide funds for expanded after-school programs, summer programs, programs requiring parental involvement, programs aimed at preventing children from dropping out of school, and other alternative programs that provide youth with opportunities for intellectual and social enrichment, and other positive alternatives to becoming a teenage parent.

Such programs supplement the basic education curricula and are designed to focus efforts on at-risk children as they move toward adulthood. The services provided by these programs can help to prevent and reduce the incidence of out-of-wedlock pregnancies and teenage pregnancies. Since these services can serve needy and non-needy families, Georgia has imposed no income or resource limits on program participants.

G. TWO-PARENT FAMILIES

In order to encourage the formation and maintenance of two-parent families, Georgia broadened the definition of deprivation to allow more able-bodied two-parent families with marginal resources to access the benefits and support services of the TANF program. Cash assistance to families with two able-bodied parents is paid out of 100% State funds.

The TANF program provides these parents an opportunity to participate in a wide range of activities to enhance their job skills, parenting skills and general life skills leading to self-sufficiency. So that non-custodial parents could develop the job skills necessary to find employment and financially support their children, Georgia established the Fatherhood Initiative. Training in parenting skills was also provided, and non-custodial parents were encouraged to spend time with their children.

The Fatherhood initiative has evolved into what is now the Georgia Fatherhood Services Network (GFSN). The GFSN continues to help non-custodial parents find the jobs that will enable them to pay child support. In addition, jobs training classes, GED classes, and other means to overcome other barriers to stable employment are provided.

Participants are required to work at least 20 hours per week while enrolled in the

program and are required to pay child support during this time. Upon completion of the program, participants receive assistance in obtaining full-time employment earning a wage that they can live on and pay their child support.

H. EDUCATION AND TRAINING ON THE PROBLEM OF STATUTORY RAPE

Georgia's Children and Youth Coordinating Council educates local communities, school systems, law enforcement personnel, youth and parents on Georgia laws relating to juvenile justice and other youth-related issues, including statutory rape. "Ultimate Choice", one of the Emmy-winning videos produced by the Council, provides an in-depth look at the problem of teen pregnancy and laws affecting teenagers and their families. Also available are the Statutory Rape Card and poster, provided to individuals, government entities and private businesses. The Statutory Rape cards have been widely distributed to teens and parents through DFCS offices and housing projects. Public service announcements have been made on local radio stations. Through these means, Georgia has been able to reach a wide and varied audience with the message about the issue of Statutory Rape.

I. CULTURAL CHANGE

The strategies developed in recent years with the introduction of a new emphasis on preparing TANF recipients for employment has been expanded and standardized. County DFCS offices have been reorganized to provide the resources necessary to obtain employment, with the primary focus for staff being their clients' attainment of economic self-sufficiency. Staff have been and continue to be trained in the new skills needed for their changing roles. Job classifications have been redefined to reflect the importance of helping families become financially independent.

II. SPECIAL PROVISIONS

A. INTERSTATE PROGRAM REGULATIONS

A family subject to the TANF lifetime limit that moves into Georgia from another state can receive TANF cash assistance for the 48-month limit established by Georgia, regardless of a different lifetime limit in the previous state of residence. Assistance received in any other state in January 1997 or thereafter counts toward Georgia's 48-month lifetime limit on the receipt of TANF cash assistance.

B. NON-CITIZEN PROVISION

TANF cash assistance is provided to qualified aliens in the same manner as to citizens of the United States. For aliens who are victims of severe forms of trafficking, cash assistance is provided to the same extent as to aliens who have been granted refugee status. Federal funds will be used except for those aliens who enter the United States on or after the date of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and who are not exempted by law from the five-year prohibition. TANF cash assistance is paid out of 100% State funds to those qualified aliens who are not eligible for federally funded TANF solely because of their date of entry into the United States.

C. OBJECTIVE CRITERIA

1. Assistance

Assistance is provided to needy families. A family is defined as "one or more children living with a responsible parent, parents or other caretaker relative or legal guardian". TANF will not be provided to a pregnant woman without other dependent children, although Medicaid and other support services may be available.

The major TANF program requirements apply only to families receiving assistance. Assistance includes cash payments and other benefits designed to meet a family's ongoing, basic needs. Assistance includes certain support services to families who are not employed.

Assistance excludes non-recurrent, short-term benefits designed to deal with individual crises rather than ongoing needs. Short-term benefits that are not considered to be assistance cannot provide for a need that will extend beyond four months. Assistance also excludes child care, transportation and other support services provided to employed families. The receipt of assistance does not count against a family's time limit when a grantee relative who is not

required to be an AU member does not receive assistance for her/himself but instead receives assistance for the children only.

The term “assistance” is important because major TANF requirements such as time limits, work requirements, and reporting requirements apply only to families receiving assistance.

The following requirements apply only to families receiving “assistance”:

- time limits (for federally-funded assistance)
- work and personal responsibility requirements
- assignment of child support
- data collection requirements, including three quarterly reports and one annual report

The State provides services, referrals and/or cash assistance, or a notice of denial within forty-five days of the application date. Applicants applying for assistance for themselves and dependent children are required to seek and accept employment.

Parents and caretakers approved for cash assistance are required to agree to certain work and non-work obligations in order to receive benefits. These agreements specify the client and agency responsibilities, the temporary and contractual nature of receipt of TANF, and the work activities required of participants. Teen parents are required to live in an adult-supervised setting unless DHR determines that it may be detrimental to the child or parent to impose this requirement.

Eligibility for TANF is based on objective, non-financial and financial criteria.

a. Non-Financial Rules

Age – Assistance is provided for children under age 18. Families have the option to include children who are 18 years of age and who are still in school, including high school, vocational or technical school, adult education classes, college, valid home study programs, or a course of study granting a GED.

Application for Other Benefits – Applicants and recipients must apply for all other benefits for which they may be eligible.

Citizenship – Cash assistance is provided to qualified aliens who were residing in the United States prior to the date of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 in the same manner as citizens of the United States. State funding provides cash

assistance to those qualified aliens who are not eligible for TANF solely because of their date of entry into the United States.

Convicted Drug Felons – Individuals with felony drug convictions are not eligible for assistance.

Convicted Serious Violent Felons – Individuals convicted of one of the “serious violent felonies” specified in Official Code of Georgia Annotated Section 17-10-6.1 (murder or felony murder, armed robbery, kidnapping, rape, aggravated child molestation, aggravated sodomy, and aggravated sexual battery) are not eligible for assistance.

Cooperation with Child Support Enforcement (CSE) – Georgia meets all federal requirements regarding referral to CSE. Minor absent parents are also referred to CSE. Failure to cooperate in establishing paternity or obtaining child support makes the family ineligible for benefits.

Cooperation with Fraud Investigation – Families that fail to cooperate with a fraud investigation or an eligibility investigation are ineligible to receive TANF.

Deprivation – Deprivation, for purposes of determining eligibility for cash assistance, is based on the continued absence, incapacity, or death of one parent. When both able-bodied parents are in the home, deprivation is based on establishing a recent connection to the workforce.

Enumeration – Applicants and recipients are required to provide or apply for a Social Security Number (SSN) according to established rules. Failure to provide or apply for an SSN without good cause results in the ineligibility of the individual for whom a number is not provided.

Family Cap Provision – The family cap limitation requires that the maximum cash assistance grant not be increased for the addition to the family of a child conceived while the parent was receiving TANF and after the family received cash assistance for ten or more months. This provision does not apply to a child born as a result of a verifiable rape or incest.

Family Planning – Following through on a family planning referral is an obligation to be met by all parents and recipients of childbearing age.

Fleeing Felons and Probation/Parole Violators – Fleeing felons and probation/parole violators are ineligible for assistance. The State provides appropriate law enforcement officials with the last known address.

Immunization – No assistance is paid on behalf of a preschool age dependent child unless the child has received all of the specified immunizations appropriate for the age of the child.

Living with a Specified Relative – A child must live with a specified relative or with a legal guardian. If the only child in the family receives Supplemental Security Income (SSI), the parent(s) or other grantee relative may be eligible for cash assistance.

Minor Parent Provision – Minor parents and their children must live with a parent, legal guardian, another relative or in a supportive living arrangement, unless there is good cause not to do so. A minor parent who does not meet this requirement is ineligible for assistance.

Personal Responsibilities – Based on an assessment of family needs and circumstances, family members are required to meet certain personal responsibility requirements. Failure to meet this requirement may result in the imposition of sanctions.

Prenatal Care – Individuals who fail to participate in prenatal care arranged by the Department are ineligible for TANF.

Residency – Applicants and recipients must live in Georgia. A family moving into Georgia from another state is subject to Georgia's 48-month lifetime limit on the receipt of TANF, irrespective of a different lifetime limit that may have been in effect in the family's previous state of residence.

Sanction Provision – Failure to meet work requirements and/or personal responsibilities can lead to a 25% reduction in benefits for the first material violation and permanent ineligibility for TANF for a second material violation.

School Attendance – Children must attend school according to guidelines established by the Department of Education. Failure without good cause to ensure that children attend school may result in sanctions. Additionally, no assistance is provided to teenage parents who are not attending school or other equivalent training program and who do not obtain passing grades.

Third Party Resources – Applicants and recipients must provide information regarding third party resources.

Work Requirements – Work requirements are administered based on federal regulations.

b. Financial Rules

Resources: The resource limit is \$1,000.

The resources of individuals used in determining the family size are considered. Resources such as cash, checking and savings accounts, credit

union accounts and tax refunds are counted in determining eligibility. This list is not inclusive.

The resource value of vehicles is determined as follows:

- The equity value up to \$4,650 of one vehicle that is used to look for work or used to travel to work or education and training is excluded. If not used for these purposes, the equity value up to \$1,500 is excluded.
- The equity value of any other vehicle in the family is counted toward the resource limit.
- Individual Development Accounts: An Individual Development Account (IDA) may be established by or on behalf of a TANF applicant or recipient for one of the following purposes:
 - Post-secondary educational expenses
 - First home purchase
 - Business capitalization (start up of a new business)

Funds in an IDA, up to \$5,000, are not considered as a resource and any interest earned will not be considered income in determining TANF eligibility.

Income: Income limits for TANF eligibility are based on the State's Gross Income Ceiling (GIC) and Standard of Need (SON).

- The countable income of all AU members is considered.
- The income of other legally responsible persons in the home (such as the parents of a minor caretaker) is also considered.
- The countable gross income of all AU members must be below the GIC.
- Net income is compared to the SON. The State pays the deficit up to the family maximum.
- Certain deductions are applied to earnings.
- A child care deduction is allowed for individuals who incur a child care expense while they are working.

The countable income of all persons included in determining family size is considered as follows:

- Income, including wages, unemployment benefits, child support, contributions and Social Security benefits, is considered in the determination of eligibility.
- Certain sources of income, such as educational assistance, adoption assistance, SSI, the earnings of a child who is a student and state and federal Earned Income Tax Credit (EITC) income, are excluded from consideration in determining eligibility. This list is not all-inclusive.
- Lump sums received by the family are considered and a period of ineligibility is established using the federal poverty limit (FPL).

Budgeting: The income of all assistance unit members is considered in the determination of TANF eligibility. In addition, the income of the following individuals is considered in determining eligibility and the payment amount:

- disqualified individuals
- penalized parents
- ineligible parents
- individuals who are financially responsible for an AU member.

The amount of income budgeted is based on the amount that best represents what the AU has received or will receive on an ongoing basis.

Deductions are applied to earned income as follows:

- Apply a standard work deduction.
- Deduct incurred child care expenses up to the following maximums:
 - \$200 per month for each child under age 2.
 - \$175 per month for each child age 2 and over.

Other deductions to income include verified child support paid by a family member to children outside the home.

If a minor parent living with her parents applies and is included in the determination of the family size, a portion of the income of the minor's parents is considered in the eligibility determination.

The countable gross income must be below Georgia's GIC. If it is, all income remaining after allowable deductions are applied is compared to the

SON. Payment, if any, is made based on the amount of the deficit or the Family Maximum, whichever is less.

Lump sum budgeting is computed by comparing the amount of the lump sum to the Federal Poverty Level (FPL) for the household size. The household is ineligible for the number of months the income meets the FPL. The period of ineligibility can be shortened only for good cause reasons.

Sanctions are applied to the final grant amount after all income and deductions are determined and before any recoupments are deducted.

2. Non-TANF assistance

Non-TANF assistance is provided to needy families. Georgia has chosen the option of defining a “needy family” for each category of non-TANF assistance. Non-TANF assistance includes payments for non-recurrent, short-term benefits designed to deal with individual crises rather than ongoing need. Short-term benefits that are not counted as TANF cannot provide for needs that will extend beyond four months. Non-TANF assistance also includes child care, transportation and other support services provided to employed families.

The provision of this type of aid, funded by federal TANF dollars and state MOE funds, is consistent with the efforts being made by Georgia to assist needy families so that children can be cared for in their own homes or in the homes of relatives, and to end the dependency of needy parents on government benefits. The various types of assistance being provided will also help to strengthen and maintain two-parent families through both the alleviation of short-term financial crises as well as the prevention of potential problems that may place undue strain on families, and will help to prevent and reduce both out-of-wedlock and teenage pregnancies.

The term “non-TANF assistance” refers to benefits that are non-recurring, time-limited, and do not count toward the 48-month lifetime limit on receipt of TANF because they do not meet the TANF definition of “assistance”. Non-TANF assistance benefits:

- are designed to remedy a specific crisis situation
- are not intended to deal with ongoing, basic needs
- cannot continue for more than four calendar months.

Non-TANF assistance includes the following:

- work subsidies (e.g., payments to employers or to third parties to help cover the costs of employee wages, benefits, supervision, and training)
- certain support services
- contributions to, and distributions from, Individual Retirement Accounts (IDAs)
- services that do not provide basic income support
- transportation assistance provided under a job access or reverse commute project to an individual who is not receiving other assistance
- work expense allowances

The family that receives non-TANF assistance rather than TANF cash assistance:

- is not subject to TANF lifetime limits
- is not subject to TANF work requirements
- is not subject to TANF personal responsibility requirements
- retains all of its child support

a. Ready-for-Work

Substance abuse counseling and treatment are available through the Ready-for-Work (RFW) program, a gender-specific treatment program designed to address the needs of women who abuse alcohol and other drugs.

Participation in the program is available to individuals who meet one of three non-financial criteria and the sole financial requirement.

Participation in the RFW program is available to individuals with active TANF cases, individuals whose cash assistance was terminated within the previous twelve months because of employment, and individuals with active DFCS child protective services cases.

The income limit for the RFW program is set at 235% of the FPL for individuals not eligible for TANF cash assistance. There is no resource limit.

b. Transitional Support Services

Georgia provides transitional services to families whose TANF cases terminated due to the receipt of earned income. Transitional support services are intended to support the retention of employment and prevent the need to return to the TANF rolls.

Benefits and services may include:

- child care
- transportation, including, but not limited to, direct subsidies, driver's license fees, vehicle repairs, car insurance, etc.
- work clothing (if required to maintain employment)
- eyewear, medical and dental services (if required to maintain employment)
- tools (if required to maintain employment)
- occupational licensing fees
- emergency assistance with rent and utilities (see the Family Resettlement Program below).

c. Child Protective Services

Child Protective Services are provided to abused or neglected children in order to protect the child and strengthen the family. These services are provided to families who require them and who:

- are currently receiving TANF or
- have received TANF during the past twelve months or
- are currently receiving Food Stamps or
- are currently receiving Medicaid or
- are currently receiving Peachcare.

d. Early Intervention Services

The Early Intervention Services program funds pregnancy tests, intensive in-home case management and other services for families with incomes less than or equal to 235% of the FPL. There is no resource limit. TANF funding will be utilized for outreach activities to increase public awareness of the program and for case management services that will inform individual women about particular services.

e. Second Chance Homes

The Second Chance Homes program provides alternative living arrangements for minor parents and their children by providing 24-hour supervision and a structured environment. In addition to adult supervision, services include child care, education services, training in parenting skills, and family planning services.

Participation in the program is available to minor parents who currently receive cash assistance. It is also available to minor parents who do not receive cash assistance but whose household income is less than or equal to 100% of the FPL. There is no resource limit.

f. Microenterprise

The Microenterprise program provides job training, life skills management, training in the development of entrepreneurial skills and strategies, various social services and business start-up loans. It is intended to assist current and former TANF recipients to create jobs, build personal assets, and move toward the attainment of economic self-sufficiency. Participation in the program is available to all current TANF recipients.

A participant in the Microenterprise program must be a current recipient of cash assistance when s/he begins participation in the Microenterprise project. TANF recipients whose TANF is terminated due to the receipt of earned income may continue to receive services from the Microenterprise contractor for up to twelve months following termination of TANF. The family's income must be less than or equal to 100% of the FPL. There is no resource limit.

g. Kinship Care

Georgia pays a cash benefit, called a Relative Care Subsidy (RCS), to certain non-parent relatives to assist them in caring for children when attempts to reunite children with their natural parents have failed. A relative who accepts permanent custody of a child who is transferred from the custody of DFCS may be able to receive the RCS.

The relative must agree to:

- be the permanent caregiver until the child reaches 18 years of age;
- submit to an annual review by DFCS of the child's circumstances;
- comply with a three-year review mandated by the court;
- comply with court and DFCS requirements regarding the reporting of changes in the circumstances in the home.

The purpose of the RCS is to assist relatives who provide a permanent home for a child previously in the division's custody. The RCS preserves the state's ability to place children with relatives while providing appropriate oversight of placements that ensure the safety and well being of children.

Relatives caring for children who are not their legal responsibility are providing a service to the child and the community by allowing displaced children to remain in the care of their extended family. They have no work requirements.

The RCS provides a monetary payment at a rate of \$10 per day, per child. If otherwise eligible, and if the child's own monthly income is less than \$400, the child is eligible to receive the RCS. All funding for the Relative Care Subsidy comes from TANF funds.

h. Family Connection

Support services are available through Family Connection, and are intended to assist families in their efforts to become self-sufficient. The services are available to all current TANF recipients. The income limit for non-TANF families must be less than or equal to 100% of the FPL. There is no resource limit.

i. Fatherhood Initiative

The Fatherhood Initiative is an effort to emphasize the importance of fathers in the lives of their children and to encourage greater involvement by fathers with their children. The program provides job training, counseling and support services to non-custodial fathers of TANF children. It also provides grants for community organizations to develop local fatherhood programs for the non-custodial fathers of TANF children and to print and distribute educational materials related to parenting by fathers.

The income limit for individuals not eligible for TANF assistance must be less than or equal to 200% of the FPL. There is no resource limit.

j. Domestic Violence Services

TANF funds are used to contract with family violence shelters and counselors to conduct domestic violence assessments of TANF recipients and applicants. Service plans are developed for those suspected of being or identified as victims of domestic violence. Assessors make referrals and assist domestic violence victims in accessing existing community resources in order to successfully make their transition to self-sufficiency. Domestic violence training sessions are provided for DFCS staff.

Because the services are provided to TANF recipients and applicants, no income or resource limits are specified.

D. COMMUNITY SERVICE REQUIREMENT

Georgia has elected not to implement the optional provision available under TANF, Section 402(a)(1)(B)(iv). Instead, the State has decided to utilize available resources to support parents and caretakers in seeking and securing employment or participating in education or work activities that will ultimately lead to full time employment and self-sufficiency.

E. ADMINISTRATIVE APPEAL PROCESS AND BENEFIT RECOVERY

The administrative appeal process provides an opportunity for recipients to challenge alleged errors in the calculation of benefits or the facts upon which an adverse action is proposed. A fair hearing request may be made in writing by contacting the county DFCS office. An applicant or a recipient has thirty days from the date of a notice of a proposed adverse action to request a hearing. An administrative law judge will conduct a hearing. The applicant or recipient may represent himself/herself at the hearing or may authorize another person to act as his/her representative. In addition, a benefit recovery process is in place in order to recoup benefits that have been paid to recipients in error.

III. CERTIFICATIONS

Georgia will operate a program to provide Temporary Assistance for Needy Families (TANF) so that children may be cared for in their own homes or in the homes of relatives; dependence of needy parents on government benefits ends by promoting job preparation, work, and marriage; incidence of out-of-wedlock pregnancies is prevented and reduced and annual numerical goals to prevent and reduce the incidence of these pregnancies are established; and the formation and maintenance of two-parent families are encouraged.

This program is known as the Georgia Temporary Assistance for Needy Families (TANF) Program and the grant received by families under this program will be called Temporary Assistance for Needy Families (TANF) cash assistance.

The Chief Executive Officer of the State of Georgia, Governor Sonny Perdue, in administering and operating a program that provides Temporary Assistance for Needy Families (TANF) with minor children under title IV-A of the Social Security Act, certifies the following:

1. The Department of Human Resources, Division of Family and Children Services is the agency responsible for administering and supervising the program.
2. Local governments and private sector organizations:
 - (a) have been and will be consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations; and
 - (b) will have at least 45 days from the date of this submission to submit comments on the plan and the design of such services.
3. A Child Support Enforcement program is operated under the State plan approved under part D.
4. A Foster Care and Adoption Assistance program is operated in accordance with part E, and the State will take all necessary actions to ensure that children who receive assistance are eligible for medical assistance.
5. Each member of an Indian tribe who is domiciled in the State and is not eligible for assistance under a Tribal Family Assistance plan approved under Section 412 is provided with equitable access to assistance under the state program funded under this part attributable to funds provided by the Federal Government.
6. Standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest

among individuals responsible for the administration and supervision of the state program, kickbacks, and the use of political patronage are established and enforced.

7. A summary of the State plan will be made available to the public.

OPTIONAL CERTIFICATION

The State has established and is enforcing standards and procedures to:

1. Screen and identify individuals receiving assistance under this part with a history of domestic violence while maintaining the confidentiality of such individuals,
2. Refer such individuals to counseling and supportive services, and
3. Waive, pursuant to a determination of good cause, other program requirements such as time limits (for as long as necessary) residency requirements, child support cooperation requirements, and family cap provision, in cases where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or would unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

Date

Sonny Perdue, Governor

IV. FUNDING

Section 403(a)(1)(A) provides that each eligible state shall be entitled to receive for each of the fiscal years 1996 through 2003, with an extension for fiscal year 2004, a grant in an amount equal to the state family assistance grant as defined in section 403(a)(1)(B).

State Payments for TANF Program

Section 405 requires that grants be paid to states in quarterly installments, based on state estimates. The State's estimate for each quarter of the fiscal year by percentage is:

For FY 2004

1 st	2 nd	3 rd	4 th
<u>Quarter</u>	<u>Quarter</u>	<u>Quarter</u>	<u>Quarter</u>
<u>25%</u>	<u>25%</u>	<u>25%</u>	<u>25%</u>

APPENDIX A

Georgia Confidentiality Law

49-4-14. Regulations as to records; use or disclosure of information; penalty.

(a) The board is directed to prescribe regulations governing the custody, use, and preservation of the records, papers, files, and communications of the Department of Human Resources, including the county departments, relating to public assistance. Except as otherwise provided in this Code section, such regulations shall provide safeguards restricting the use or disclosure of information concerning applicants for or recipients of public assistance to purposes directly connected with the administration of public assistance. The board is authorized in its discretion to include in such regulations provision for the public to have access to the records of disbursement or payment of public assistance made after March 30, 1965.

(b) No person who obtains information by virtue of any regulation made pursuant to subsection (a) of this Code section shall use such information for commercial or political purposes.

(c) Any person violating subsection (b) of this Code section shall be guilty of a misdemeanor.

(Ga. L. 1965, p. 385, §§ 10, 11.)

APPENDIX B

Georgia Statutory Rape Law

16-6-3 Statutory rape.

(a) A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim.

(b) A person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years; provided, further, that if the victim is 14 or 15 years of age and the person so convicted is no more than three years older than the victim, such person shall be guilty of a misdemeanor.

(Ga. L. 1918, p. 259, § 1, 2; Code 1933, §§ 261303, 261304; Code 1933, § 26- 2018, enacted by Ga. L. 1968, p. 715, § 1; Ga. L. 1995, p. 957, § 3; Ga. L. 1996, p. 871, § 1; Ga. L. 1996, p. 1115, § 3.)